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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,861	02/12/2001	Bart Verhoest	AGFA1-3159	5147
23550	7590	03/19/2004	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC 3 E-COMM SQUARE ALBANY, NY 12207			EICKHOLT, EUGENE H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/781,861	VERHOEST ET AL.
	Examiner Eugene H Eickholt	Art Unit 2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 17 February 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 13-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 18-22 is/are allowed.  
 6) Claim(s) 13 and 15-17 is/are rejected.  
 7) Claim(s) 14 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

In response to the request for reconsideration the final rejection stands withdrawn in favor of a new final rejection necessary in view of newly developed art.

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Aoki et al.

The figure 1 embodiment is being relied on. Printing press 11 reads on the ink applicator which inks in multi-color. See col. 4, lines 55-58. The ink is liquid as evidenced by col. 4, lines 16-18. The receiving substrate is web W. Four heating rolls 15 are in the drying section. The guide rolls G form part of the transporation device for the web. Note the statement at col. 4, lines 34-35 that the web runs "at a speed of the....cooling rollers". The heating rolls 15 are the active drying device. The first claimed straight portion is the web W path along the vertical printing press 11. The two left-sided rolls 15 have the first and second curves separated by a straight portion of web path between the upper right hand roller 15 and the lower left hand roller 15.

Applicant is advised to consider inserting "solely" a head of phrase "a second substantially straight portion" to patentably define over Aoki et al.

Claims 13 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al in view of Aoki et al.

Taylor has all the features of claims 15-17. An ink jet printer 20 prints on sheets 5 moved by a vacuum conveyor 14. Taylor differs from claim 13 in that the path of heating is different. Plate 22 reads on the first substantially straight portion. Aoki et al as already explained teaches the heating path of claim 13. It would have been obvious to one of ordinary skill in the printing art to have substituted the heating-cooling roller section of Aoki et al for the microwave dryer 26 of Taylor et al. Motivation for such a

substitution would be that the chill rollers 16 of Aoki et al would ensure the ink is not sticky after being heated where the ink has a resin component causing stickiness. See the teaching of Aoki et al at col. 2, lines 18-21 and col. 1, lines 64-65.

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 18-22 stand allowed.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the correct reference number for previously cited Rezanka is now provided.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

In no event, however, will the statutory period for reply expire later than SIX  
MONTHS from the date of this final action.

eickholt/ds

03/04/04

*Eugene H. Eickholt*  
EUGENE H. EICKHOLT  
PRIMARY EXAMINER